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8 Attorneys for Plaintiff  
CHURCH OF SCIENTOLOGY  
9 INTERNATIONAL

**RECEIVED**  
**OCT 20 1995**  
**HUB LAW OFFICES**

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 FOR THE COUNTY OF MARIN  
12

13 CHURCH OF SCIENTOLOGY ) CASE NO. 157 680  
INTERNATIONAL, a California not- )  
14 for-profit religious corporation, ) [CONSOLIDATED]  
15 )  
16 Plaintiff, ) CHURCH OF SCIENTOLOGY  
INTERNATIONAL'S NOTICE OF  
17 ) MOTION AND MOTION FOR  
RETURN OF MONEY DEPOSITED  
18 vs. ) WITH THE COURT  
19 ) [C.C.P. §§ 529(a); 995.360;  
GERALD ARMSTRONG, et al., ) 995.710]  
20 ) DATE: November 17, 1995  
21 ) TIME: 9:00 a.m.  
Defendants. ) DEPT: 1  
22 ) TRIAL DATE: Vacated

23 PLEASE TAKE NOTICE that on November 17, 1995, at 9:00 a.m.,  
24 or as soon thereafter as may be heard in Department 1 of the  
25 above-entitled Court located at the Hall of Justice, 3501 Civic  
26 Center Dr., San Rafael, California 94908-4177, plaintiff Church  
27 of Scientology International ("the Church") will move this Court  
28 to issue an order returning to the Church the sum of seventy

1 thousand dollars (\$70,000), together with interest thereon, which  
2 was deposited by the Church with the Clerk of the Los Angeles  
3 Superior Court in May, 1992, in lieu of a bond, pursuant to Code  
4 of Civil Procedure Sections 529(a) and 995.710(a)(1).

5 This Motion is made on the grounds that the money was  
6 deposited with the Court in lieu of a bond in connection with an  
7 Order of Preliminary Injunction issued by the Honorable Ronald  
8 Sohigian on May 28, 1992; that this Court has finally adjudicated  
9 that plaintiff was, indeed, entitled to the Order of Preliminary  
10 Injunction, entering an Order of Permanent Injunction on October  
11 17, 1995; that in addition it has already been summarily  
12 adjudicated that defendant Armstrong must pay plaintiff damages  
13 in the amount of \$300,000; and that defendant Armstrong has no  
14 extant cross-claim which could result in any money judgment in  
15 his favor. Under these circumstances, plaintiff submits that  
16 there is no further need for a bond or undertaking filed by  
17 plaintiff, and that there is no possibility that plaintiff could  
18 incur any liability to Armstrong on the undertaking.  
19 Accordingly, the deposit, and interest accrued thereon, should be  
20 returned to the plaintiff. Code of Civil Procedure Section  
21 995.360.

22 This Motion is based on this Notice of Motion and Motion,  
23 the pleadings, records and files herein, the accompanying  
24 Memorandum of Points and Authorities, the declarations and

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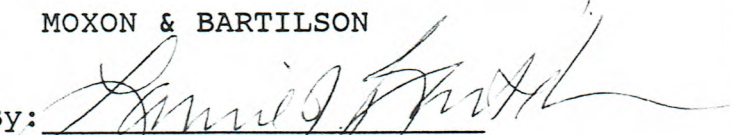
1 exhibits filed herewith, and such other evidence as may be  
2 adduced properly at the hearing of this Motion.

3 Dated: October 18, 1995

Respectfully submitted,

4 Andrew H. Wilson  
WILSON, RYAN & CAMPILONGO

5 MOXON & BARTILSON

6  
7 By:   
8 Laurie J. Bartilson

9 Attorneys for Plaintiff  
10 CHURCH OF SCIENTOLOGY  
11 INTERNATIONAL

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PROOF OF SERVICE

STATE OF CALIFORNIA            )  
                                          )    ss.  
COUNTY OF LOS ANGELES        )

I am employed in the County of California, State of California. I am over the age of eighteen (18) years and not a party to the within action. My business address is 6255 Sunset Boulevard, Suite 2000, Hollywood, CA 90028.

On October 18, 1995 I served the foregoing document described as CHURCH OF SCIENTOLOGY INTERNATIONAL'S NOTICE OF MOTION AND MOTION FOR RETURN OF MONEY DEPOSITED WITH THE COURT on interested parties in this action,

[ ] by placing the true copies thereof in sealed envelopes as stated on the attached mailing list;

[X] by placing [ ] the original [X] true copies thereof in sealed envelopes addressed as follows:

Ford Greene  
HUB Law Offices  
711 Sir Francis Drake Blvd.  
San Anselmo, CA 94960-1949

MICHAEL WALTON  
700 Larkspur Landing Circle  
Suite 120  
Larkspur, CA 9493

[ ] \*I deposited such envelope in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid.

[X] As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing an affidavit.

Executed on October 18, 1995 at Los Angeles, California.

[ ] **\*\* (BY PERSONAL SERVICE)** I delivered such -- envelopes by hand to the offices of the addressees.

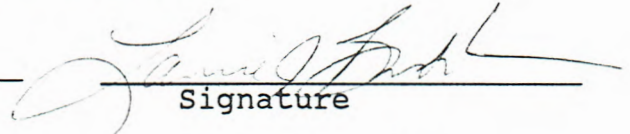
Executed on October 18, 1995, at San Rafael, California.

[X] (State) I declare under penalty of the laws of the State of California that the above is true and correct.

[ ] (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Lauric Bertilson

Print or Type Name



Signature

\* (By Mail, signature must be of person depositing envelope in mail slot, box or bag)

\*\* (For personal service signature must be that of messenger)